



Legislative Bulletin.....May 25, 2005

Contents:

H.R. 1815—National Defense Authorization Act for Fiscal Year 2006

Summary of the Bill Under Consideration Today:

Total Number of New Government Programs: Various

Total Cost of Discretionary Authorizations: \$485.1 billion in FY2006 (including authorizations for supplemental appropriations)

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$84 million decrease over five years

Total New State & Local Government Mandates: Various

Total New Private Sector Mandates: Various

Number of Bills Without Committee Reports: 0

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 1

**H.R. 1815—National Defense Authorization Act for Fiscal Year 2006
(Hunter)**

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Order of Business: The bill is scheduled to be considered on Wednesday, May 25th and Thursday, May 26th, subject to a structured rule. Summaries of the amendments made in order under the rule will be provided in a separate RSC document.

NOTE: After the Armed Services Committee's mark up of this legislation last week, Chairman Duncan Hunter (R-CA) asked for and received unanimous consent to alter the bill if mandatory spending limits exceeded the budget resolution. He used this method to remove a Rep. Gene Taylor (D-MS) provision in the underlying bill (which passed 32-30 in committee) that would have opened the military's TRICARE healthcare system to all National Guard members and reservists. Budget Committee Chairman Jim Nussle (R-IA) indicated that he would raise a point of order against the bill, if it came to the House floor in violation of the FY2006 budget resolution.

CBO told the Armed Services Committee that the Taylor provision would cost the military about \$230 million in FY2006 and about \$4.6 billion through FY2010 (in mandatory spending). The provision would also shift average costs for the Federal Employees Health Benefits (FEHB) program because many of the 120,000 reservists who work for the federal government would likely transfer to the less expensive TRICARE system. According to CBO, this transfer would cause an increase in FEHB premiums, forcing the government to increase its costs by about \$94 million (mandatory spending) through FY2010.

It is likely that Rep. Taylor will submit an amendment to the Rules Committee that would restore his language yet prohibit federally employed reservists from dropping FEHB for TRICARE.

[A Few Items of Note:](#)

- **Women in Combat.** Codifies existing DoD policies prohibiting the assignment of women to units below the brigade level whose primary mission is to engage in direct ground combat (definition would be codified in the bill). Permits the further exclusion of female members of the Armed Forces from being assigned to units and positions based on: co-location with a direct ground combat unit, performance of long-range reconnaissance and Special Operations missions, prohibitive costs of berthing and privacy arrangements, or job-related physical requirements that exclude the “vast majority” of female members. Requires the continued closure of military occupational specialties relating to military ground operations that the secretaries of the military services had closed to the assignment of women as of May 18, 2005. Directs the Secretary of Defense to notify Congress when opening previously closed positions to the assignment of female members of the Armed Forces.
- **Concurrent Receipt Acceleration.** Accelerates the phase-in of the full concurrent receipt of veterans disability compensation and military retired pay, allowing qualified retirees to receive full concurrent receipt on October 1, 2009, four years and three months earlier than scheduled.
- **Base Realignment and Closure (BRAC).** Expands the reporting requirements relating to BRAC properties and proposed budgets as part of the annual budget justification documents. Terminates authority for any military construction, land acquisition, or family housing project authorized in this or any prior military construction authorization act at a facility approved for closure in the 2005 BRAC

round (except for projects for which appropriated funds have already been obligated). Strikes the limits on the Secretary of Defense's authority to aid communities adversely affected by BRAC and other defense program changes.

- **Foreign Subsidies**. Prohibits DoD from contracting with any foreign person to which the government of a foreign country (that is a member of the World Trade Organization—WTO) has provided a subsidy that is either prohibited by or is still in dispute at the WTO.
- **Death Gratuity Enhancement**. Increases the military death gratuity from \$12,000 to \$100,000.
- **Hospital Visits**. Makes permanent the authority for family members to travel within the United States at government expense to visit hospitalized service members wounded while the member was serving in a combat operation or zone.

To view the RSC Legislative Bulletin for the defense authorizations for FY2005 (last year's bill, H.R. 4200), visit this website:

<http://johnshadegg.house.gov/rsc/LB-51904-DOD%20Auth%20FY%2005.pdf>

Cost to Taxpayers: CBO estimates that H.R. 1815, as reported (without the Taylor provision discussed above) would authorize \$436.047 billion in regular FY2006 appropriations and \$49.069 billion in supplemental FY2006 appropriations for the ongoing military operations in Afghanistan and Iraq (for a total of \$485.116 billion in FY2006).

CBO also estimates that H.R. 1815 would decrease mandatory spending (including asset sales) by \$2 million in FY2006 and by \$84 million over the FY2006-FY2010 period.

To see the complete, 30-page CBO cost estimate, visit this webpage:

<http://www.cbo.gov/ftpdocs/63xx/doc6375/hr1815.pdf>

The Armed Services Committee's cost estimates for the bill are different—but not significantly.

For details on specific authorizations, see the “Detailed Summary” section below.

Overall Authorizations: **The President requested budget authority of \$441.8 billion for the national defense budget function (regular appropriations) for FY2006.**

The Committee recommends an overall level of \$441.6 billion in regular budget authority (though CBO's estimate is lower—see above). This amount represents an increase of approximately \$19.5 billion from the budget authority provided in the authorization bill for FY2005 (Public Law 108-375). This differential does not include the supplemental appropriations enacted into law for FY2005.

In addition, the bill would authorize supplemental FY2006 appropriations of \$49.1 billion for ongoing war operations in Afghanistan and Iraq.

Committee Action: About two weeks ago, the Subcommittee on Terrorism, Unconventional Threats and Capabilities; the Subcommittee on Projection Forces; the Subcommittee on Military Personnel; the Subcommittee on Readiness; the Subcommittee on Strategic Forces; and the Subcommittee on Tactical Air and Land Forces all marked up and by voice vote forwarded the bill to the full Armed Services Committee. On May 18, 2005, the full Committee marked up and, by voice vote, ordered the amended bill reported to the full House.

Administration Position: A Statement of Administration Policy (SAP) was not available at press time.

Does the Bill Expand the Size and Scope of the Federal Government?: The provision allowing any judge advocate or civilian attorney that is authorized to provide military legal assistance to provide that assistance in *any* jurisdiction could be considered an expansion of federal authority. The bill would create various new federal programs.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: Yes—mostly in connection with the increase in end-strength of the Armed Services (since the number of servicemembers and reservists on active duty affects state and local laws regarding taxation, financial services, and judicial proceedings). Additionally, the provision allowing any judge advocate or civilian attorney that is authorized to provide military legal assistance to provide that assistance in *any* jurisdiction would preempt state authority.

Constitutional Authority: The Armed Services Committee, in House Report 109-89, cites constitutional authority in Article I, Section 8, but does not cite a specific clause. House Rule XIII, Section d(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.” *[emphasis added]*

Article I, Section 8, Clause 1 grants Congress the power to “provide for the common Defence and general welfare of the United States.” Article I, Section 8, Clauses 12 through 16 grant Congress the power “To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years; To provide and maintain a Navy; To make Rules for the Government and Regulation of the land and naval forces; To provide for calling forth the Militia to execute the Laws of the Unions, suppress Insurrections and repel Invasions; To provide for organizing, arming, and disciplining, the Militia and for governing such Part of them as may be employed in the Service of the United States...” In addition, Article I, Section 8, Clause 17 provides that Congress shall have the power “To exercise exclusive Legislation in all Cases whatsoever...over all Places purchased by the Consent of the Legislature of the state in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings.”

Detailed Summary: H.R. 1815 would authorize appropriations for FY2006 for the Department of Defense and the national security functions of the Department of Energy. The bill would also prescribe personnel strengths for all components of the U.S. armed forces. What follows are highlights of the three divisions (Dept. of Defense, Military Construction, and Dept. of Energy & Others) of the bill.

Division A = Department of Defense Authorizations

Division B = Military Construction Authorizations

Division C = Department of Energy National Security Authorizations and Other Authorizations

Division A—Title I—Procurement

- **Army.** Aircraft--\$2.86 billion; Missiles--\$1.24 billion; Weapons and Tracked Combat Vehicles--\$1.60 billion; Ammunition--\$1.75 billion; Other Procurement--\$4.04 billion.
- **Navy.** Aircraft--\$10.04 billion; Weapons (including missiles and torpedoes)--\$2.78 billion; Ammunition--\$869.8 million; Shipbuilding and Conversion--\$10.78 billion; Other Procurement--\$5.63 billion.
- **Marine Corps.** \$1.41 billion
- **Air Force.** Aircraft--\$12.79 billion; Ammunition--\$1.03 billion; Missiles--\$5.49 billion; Other Procurement--\$14.07 billion.
- **Defense-Wide Activities.** \$2.72 billion

Division A—Title II—Research, Development, Test, and Evaluation

- **Army.** \$9.78 billion
- **Navy.** \$18.02 billion
- **Air Force.** \$22.41 billion
- **Defense-Wide Activities.** \$19.26 billion (\$168.4 million reserved for Operational Test & Evaluation, Defense-Wide; \$100 million reserved for one additional flight-intercept test of the Ballistic Missile Defense Groundbased Midcourse system).
- **Defense Science and Technology.** Reserves \$11.42 billion of the above funds for the Defense Science and Technology Program.

Division A—Title III—Operation and Maintenance

- **Army.** \$24.38 billion
- **Navy.** \$30.31 billion
- **Marine Corps.** \$3.63 billion
- **Air Force.** \$30.56 billion
- **Defense-Wide Activities.** \$18.38 billion
- **Army Reserve.** \$2.00 billion
- **Naval Reserve.** \$1.25 billion
- **Marine Corps Reserve.** \$207.4 million

- **Air Force Reserve**. \$2.50 billion
- **Army National Guard**. \$4.52 billion
- **Air National Guard**. \$4.73 billion
- **U.S. Court of Appeals for the Armed Forces**. \$11.2 million
- **Army Environmental Restoration**. \$407.9 million
- **Navy Environmental Restoration**. \$305.3 million
- **Air Force Environmental Restoration**. \$406.5 million
- **Defense-wide Environmental Restoration**. \$28.2 million
- **Formerly Used Defense Sites Environmental Restoration**. \$221.9 million
- **Overseas Humanitarian, Disaster, and Civic Aid Programs**. \$61.5 million
- **Cooperative Threat Reduction Programs**. \$415.6 million
- **Overseas Contingency Operations Transfer Fund**. \$20.0 million
- **Drug Interdiction and Counter-Drug Activities, Defense-Wide**. \$895.7 million
- **Defense Health Program**. \$19.76 billion
- **Chemical Agents and Munitions Destruction**. \$1.41 billion
- **Defense Inspector General**. \$174.5 million
- **Resolving and Management Funds**. \$3.17 billion
- **Public-Private Competition**. Establishes a three-year pilot program to examine the use of the public-private competition process outlined in OMB Circular A-76. No DoD function performed by 10 or more civilian employees could be converted to performance by a contractor unless such conversion is based on the results of a public-private competition.
- **Undocumented Immigrants**. Requires a DoD report on the effects of and plans to prevent undocumented immigrants trespassing on DoD operational ranges.

Division A—Title IV—Military Personnel Authorizations

Authorized personnel levels as of September 30, 2006:

- **Army**. 482,400
- **Navy**. 352,700
- **Marine Corps**. 175,000
- **Air Force**. 357,400
- **Army National Guard, Selected Reserve**. 350,000
- **Army Reserve, Selected Reserve**. 205,000
- **Naval Reserve, Selected Reserve**. 73,100
- **Marine Corps Reserve, Selected Reserve**. 39,600
- **Air National Guard, Selected Reserve**. 106,800
- **Air Force Reserve, Selected Reserve**. 74,000
- **Coast Guard Reserve, Selected Reserve**. 10,000
- **Army National Guard, Full-Time Duty**. 27,345
- **Army Reserve, Full-Time Duty**. 15,270
- **Naval Reserve, Full-Time Duty**. 13,392
- **Marine Corps Reserve, Full-Time Duty**. 2,261
- **Air National Guard, Full-Time Duty**. 13,039

- **Air Force Reserve, Full-Time Duty.** 2,290
- **Army National Guard, Dual-Status Military Technicians.** At least 25,563
- **Army Reserve, Dual-Status Military Technicians.** At least 7,649
- **Air National Guard, Dual-Status Military Technicians.** At least 22,971
- **Air Force Reserve, Dual-Status Military Technicians.** At least 9,853
- **Army Reserve, Non-Dual-Status Military Technicians.** No more than 695
- **Army National Guard, Non-Dual-Status Military Technicians.** No more than 1,600
- **Air Force Reserve, Non-Dual-Status Military Technicians.** No more than 90
- **Air National Guard, Non-Dual-Status Military Technicians.** No more than 350
- **Maximum numbers of reservists who may be serving at any time on full-time operational support duty:**
 - Army National Guard: 17,000
 - Army Reserve: 13,000
 - Naval Reserve: 6,200
 - Marine Corps Reserve: 3,000
 - Air National Guard: 16,000
 - Air Force Reserve: 14,000
- **Armed Forces Retirement Home.** \$58.3 million
- **Authorization of Appropriations for Military Personnel.** \$108.82 billion

Division A—Title V—Military Personnel Policy

- **Use of National Guard for Counter-Terrorism.** Allows the Governor of any state to order the National Guard of his or her state to perform full-time National Guard duty for the military support of civilian law enforcement counter-terrorism activities within the United States (subject to reimbursement from the applicable state).
- **ROTC Increases.** Increases from 208 to 416 the annual limit on the number of ROTC scholarships under the Army Reserve and National Guard program.
- **National College of Homeland Security.** Expresses a sense of Congress that the Secretary of Defense should establish, within the National Defense University, a National College of Homeland Security.
- **Murder, Rape, Child Abuse, Stalking.** Removes the statute of limitation for murder, rape, and child abuse offenses under the Uniform Code of Military Justice (UCMJ). Adds stalking as an offense under the UCMJ. Aligns sexual offenses in the UCMJ to conform more closely to other federal laws and regulations that address sexual assault and provides a series of graded offenses relating to rape, sexual assault, and other sexual misconduct (described more precisely), based on the presence of aggravating factors.
- **Military Legal Assistance.** Allows any judge advocate or civilian attorney that is authorized to provide military legal assistance to provide such assistance in any jurisdiction, notwithstanding any law regarding the licensure of attorneys.
- **Cold War Victory Medal.** Requires the issuance of Cold War Victory Medals (under criteria that the Secretary of Defense prescribes).

- **Combat Medevac Badge.** Directs the Secretary of the Army to issue Combat Medevac Badges (newly established by this bill) for Army soldiers who served in combat after 1950 on a helicopter medical evacuation ambulance and who meet the criteria set by the Secretary of the Army.
- **Adoption.** Allows a member of the Armed Forces, who makes a qualified adoption, up to 21 days of leave in a calendar year to be used in connection with the adoption.
- **Women in Combat.** Codifies existing DoD policies prohibiting the assignment of women to units below the brigade level whose primary mission is to engage in direct ground combat (definition would be codified in the bill). Permits the further exclusion of female members of the Armed Forces from being assigned to units and positions based on: co-location with a direct ground combat unit, performance of long-range reconnaissance and Special Operations missions, prohibitive costs of berthing and privacy arrangements, or job-related physical requirements that exclude the “vast majority” of female members. Requires the continued closure of military occupational specialties relating to military ground operations that the secretaries of the military services had closed to the assignment of women as of May 18, 2005. Directs the Secretary of Defense to notify Congress when opening previously closed positions to the assignment of female members of the Armed Forces.
- **Other Items.** Contains various provisions about status grades and promotions, education, and other miscellaneous items.

Division A—Title VI—Compensation and Other Personnel Benefits

- **Basic Pay for All Uniformed Services.** Increases basic pay by 3.1% for all members of the uniformed services, effective January 1, 2006, and provides incentives to retain junior officers and highly skilled enlisted members.
- **Income Differential Payments.** Provides for income differential payments to certain longer-serving, active-duty members of a reserve component of the Armed Forces.
- **Concurrent Receipt Acceleration.** Accelerates the phase-in of the full concurrent receipt of veterans disability compensation and military retired pay, allowing qualified retirees to receive full concurrent receipt on October 1, 2009, four years and three months earlier than scheduled.
- **Bonuses.** Extends through December 31, 2006, dozens of bonus and special-pay authorities (for example: bonuses for reserve reenlistment, nurse anesthetists, dentists, nuclear specialists, aviation officer retention, referrals of new recruits, and prior service enlistment).
- **Tobacco Differential Payments.** Authorizes differential payments to long-term, quota tobacco farmers who are also reservists called up to active duty and who therefore receive a lower quota payment.

Division A—Title VII—Health Care Provisions

- **TRICARE.** Makes various clarifications and updates to the TRICARE system.
- **Mental Health Services.** Authorizes the services of mental health counselors under TRICARE. Directs the Secretary of Defense to take steps to identify early and then

treat mental health and substance abuse problems—with emphasis on servicemembers who have served in a combat theater in the previous year.

- **Chiropractors**. Directs the Secretary of Defense to study whether chiropractic health care services should be made available to all current and former members of the Armed Forces and the reserves (as well as their eligible dependents).

Division A—Title VIII—Acquisition Policy, Acquisition Management, and Related Matters

- **Alternative Acquisitions**. Requires that the Secretary of Defense analyze alternatives for a major defense acquisition program when its unit costs increase by 15% or more.
- **Online Procurement**. Requires the head of any executive agency, to the maximum extent practicable, to use commercially available online procurement services to purchase commercial items.
- **Contingency Contracting Corps**. Requires the establishment in DoD of a Contingency Contracting Corps for conducting contracting during combat operations using rapid acquisition authorities, where appropriate.
- **Small Business Contracting**. Directs the Secretary of Defense to study procurement contracts with small business concerns owned and controlled by service-disabled veterans.
- **Foreign Subsidies**. Prohibits DoD from contracting with any foreign person to which the government of a foreign country (that is a member of the World Trade Organization —WTO) has provided a subsidy that is either prohibited by or is still in dispute at the WTO.
- **Domestic Source Waiver for Clothing Materials**. Requires the Secretary of Defense to notify the public when he exercises a waiver of the current-law domestic sources requirements for clothing materials and components.
- **Rapid Acquisition Authority**. Provides rapid acquisition authority when necessary to respond to intelligence-related emergencies.

Division A—Title IX—Department of Defense Organization and Management

- **Department of the Navy Redesignation**. Redesignates the Department of the Navy to the Department of the Navy and Marine Corps. Redesignates all related titles and offices accordingly.
- **Space Situational Awareness Strategy**. Requires the Secretary of Defense to submit to Congress, by next spring, a Space Situational Awareness Strategy for ensuring freedom to operate U.S. space assets affecting national security over the next twenty years.
- **Open-Source Intelligence**. Directs the Secretary of Defense to develop an open-source intelligence strategy for integrating open-source intelligence into the military intelligence cycle.
- **Intelligence Inventory**. Requires the Secretary of Defense to provide a comprehensive inventory to Congress of DoD intelligence and intelligence-related programs and projects.

Division A—Title X—General Provisions

- **Transfer Authority**. Authorizes the Secretary of Defense, if acting in the national interest, to transfer up to **\$4.0 billion** in authorizations to any other authorization for FY2006, as long as the transfer is from a lower-priority authorization to a higher-priority authorization, the transfer is not used to provide authority to an item that has been denied authorization by Congress, and the Secretary “promptly” notifies Congress of the transfer. Treats any such transfer as an equivalent increase in the amount authorized for the account to which the amount is transferred.
- **Foreign-Built Vessels**. Prevents the long-term lease of any vessel constructed primarily in a foreign shipyard.
- **Counter-Drug Activities**. Extends, through 2011, the authority for DoD to support counter-drug activities.
- **Commission on New Strategic Posture**. Establishes the Commission on the Long-Term Implementation of the New Strategic Posture of the United States to examine the long-term needs of a non-nuclear strategic posture.
- **Commission on Electromagnetic Pulse Attack**. Re-establishes the Commission to Assess the Threat to the United States from Electromagnetic Pulse Attack.

Division A—Title XI—Civilian Personnel Matters

- **Health Benefits After Separation**. Extends until the end of FY2010 the authority for certain individuals to elect continued health benefits coverage for up to 18 months after an involuntary or voluntary separation from military service because of a reduction in force.
- **Extensions**. Extends a variety of personnel and pay authorities.
- **Family Allowances for Captive Federal Employees**. Authorizes travel allowances for up to three (subject to waiver) family members of federal employees who were held captive.

Division A—Title XII—Matters Relating to Foreign Nations

- **Landmines**. Increases from \$5 million to \$10 million the annual authorization for DoD to help detect and clear landmines overseas.
- **Taiwan Exchanges**. Directs the Secretary of Defense to undertake a program of senior military officer and senior official exchanges with Taiwan “designed to improve Taiwan’s defenses against the People’s Liberation Army of the People’s Republic of China.”
- **Iran**. Requires a report to Congress on the strategic and military implications of Iran’s acquisition of nuclear weapons.
- **Defense Transfers to China**. Prohibits the Secretary of Defense from purchasing goods or services from any person or entity (or affiliate thereof) that knowingly transfers an item that is on the United States Munitions List (USML) to the People’s

Republic of China. Also prohibits the Secretary from procuring goods or services (either directly or indirectly) from any communist Chinese military company.

- **Procurement Overseas**. Allows the purchase of weapons from any foreign person, foreign government, international organization, or other appropriate entity located in the country in which U.S. Armed Forces are engaged in ongoing military operations (subject to certain conditions).

Division A—Title XIII—Cooperative Threat Reduction with States of the Former Soviet Union

From funds allocated for operation and maintenance above:

- **Strategic Offensive Arms Elimination in Russia**. \$78.9 million
- **Nuclear Weapons Transportation Security in Russia**. \$30.0 million
- **Nuclear Weapons Storage Security in Russia**. \$74.1 million
- **Biological Weapons Proliferation Prevention Activities in the Former Soviet Union**. \$60.8 million
- **Other Program Support**. \$14.6 million
- **Defense and Military Contacts**. \$8.0 million
- **Chemical Weapons Destruction in Russia**. \$108.5 million
- **Weapons of Mass Destruction Proliferation Prevention Activities in Former Soviet States**. \$40.6 million

Division A—Title XIV—Contract Dispute Enhancement

- **Boards of Contract Appeals**. Establishes a Board of Contract Appeals in DoD and a Civilian Board of Contract Appeals in the General Services Administration to review appeals by contractors of decisions by a contracting officer. Terminates a few existing contract boards of appeals.

Division A—Title XV—Authorization for Increased Costs Due to Operation Iraqi Freedom and Operation Enduring Freedom

Total supplemental FY2006 appropriations: \$49.1 billion

PROCUREMENT:

- **Army**. Weapons and Tracked Combat Vehicles--\$574.6 million; Ammunition--\$105.7 million; Other Procurement--\$1.95 billion.
- **Navy**. Weapons--\$36.8 million; Other Procurement--\$15.3 million
- **Marine Corps**. Procurement--\$445.4 million.
- **Navy and Marine Corps**. Ammunition--\$144.7 million
- **Defense-Wide Activities**. Procurement--\$103.9 million

RESEARCH, DEVELOPMENT, TEST, and EVALUATION:

- **Defense-Wide Activities**. \$75.0 million

OPERATION & MAINTENANCE:

- **Army**. \$20.31 billion
- **Navy**. \$1.84 billion
- **Marine Corps**. \$1.79 billion
- **Air Force**. \$3.20 billion
- **Defense-Wide Activities**. \$2.87 billion
- **Army National Guard**. \$159.5 million
- **Army Reserve**. \$26.4 million

OTHER AUTHORIZATIONS:

- **Defense Working Capital Fund**. \$1.70 billion
- **Defense Health Program**. \$846.0 million
- **Military Personnel**. \$9.39 billion
- **Iraq Freedom Fund**. \$1.00 billion
- **Classified Programs**. \$2.50 billion

- **Transfers**. Authorizes inter-account transfers within this title of up to \$3.0 billion.
- **Army Troop Levels**. Increases active Army strength levels in FY2006 by 30,000 above the number provided earlier in the legislation. Provides for additional increases in FY2007-FY2009.
- **Marine Corps Troop Levels**. Increases active Marine strength levels in FY2006 by 4,000 above the number provided earlier in the legislation. Provides for additional increases in FY2007-FY2009.
- **Death Gratuity Enhancement**. Increases the death gratuity from \$12,000 to \$100,000.
- **Hospital Visits**. Makes permanent the authority for family members to travel within the United States at government expense to visit hospitalized service members wounded while the member was serving in a combat operation or zone.
- **Housing for Surviving Family**. Makes permanent the increased length of time (one year) that dependents of certain deceased servicemembers could continue to occupy military family housing and receive basic allowances for housing.
- **Special Rehabilitation Pay**. Authorizes a new payment to servicemembers who are recovering from a combat-related injury outside of the combat theater.
- **Life Insurance Payments**. Authorizes the Secretary of a military department to pay the monthly life insurance premium under the Servicemembers' Group Life Insurance program for any servicemember serving in Iraq or Afghanistan during that month.
- **Reimbursement of Allies**. Authorizes up to \$1.5 billion from the Defense-Wide Operations and Maintenance funds in this legislation to reimburse "any key cooperating nation" for logistical and military support provided by that nation in connection with U.S. operations in Iraq, Afghanistan, and the global war on terrorism.

Division A—Title XVI— Contractors on the Battlefield

- **Protecting Contractors.** Sets out combatant commander responsibilities regarding contractors accompanying and not accompanying forces in the field. Such commanders would be required to:
 - Include contractor protection requirements in operational planning;
 - Include a communications-with-contractors plan in the combatant commander's operational plan; and
 - Share, when it does not threaten operational security, open-source intelligence, threat assessments, and information related to contractor movement.
- **Weapons for Contractors.** Directs the Secretary of Defense to promulgate regulations for when contractors accompanying the force may carry weapons (and what types of weapons).
- **List of Contractor Personnel.** Requires each contractor to provide commanders in the field with quarterly lists of contractor personnel in the commander's area of responsibility and requires that each commander maintain a database of such information (which in turn is provided to the Secretary of Defense).

Division B—Title XXI—Army

Authorization of Appropriations for Military Construction, Army. Specific projects listed in Section 2101 of H.R. 1815, as reported.

- **Military Construction.** \$1.21 billion
- **Architectural and Engineering Services.** \$168.0 million
- **Military Family Housing: Construction, Acquisition, Planning, Design, Improvement.** \$549.6 million
- **Military Family Housing: Support.** \$804.0 million

Division B—Title XXII—Navy

Authorization of Appropriations for Military Construction, Navy. Specific projects listed in Section 2201 of H.R. 1815, as reported.

- **Military Construction.** \$827.9 million
- **Architectural and Engineering Services.** \$36.0 million
- **Military Family Housing: Construction, Acquisition, Planning, Design, Improvement.** \$218.9 million
- **Military Family Housing: Support.** \$588.7 million

Division B—Title XXIII—Air Force

Authorization of Appropriations for Military Construction, Air Force. Specific projects listed in Section 2301 of H.R. 1815, as reported.

- **Military Construction.** \$1.08 billion
- **Architectural and Engineering Services.** \$91.7 million
- **Military Family Housing: Construction, Acquisition, Planning, Design, Improvement.** \$1.24 billion
- **Military Family Housing: Support.** \$755.3 million

Division B—Title XXIV—Defense Agencies

Authorization of Appropriations for Military Construction, Defense Agencies. Specific projects listed in Section 2401 of H.R. 1815, as reported.

- **Military Construction.** \$734.0 million
- **Architectural and Engineering Services.** \$135.7 million
- **Energy Conservation Projects.** \$50.0 million
- **Base Realignment and Closure (BRAC).** \$1.95 billion
- **Military Family Housing: Support.** \$46.4 million
- **Credit to the DoD Family Housing Improvement Fund.** \$2.5 million

Division B—Title XXV—North Atlantic Treaty Organization Security Investment Program

- **NATO Security Investment Program.** \$206.9 million

Division B—Title XXVI—Guard and Reserve Forces Facilities

- **Army National Guard.** \$410.6 million
- **Army Reserve.** \$138.4 million
- **Naval and Marine Corps Reserve.** \$45.2 million
- **Air National Guard.** \$225.7 million
- **Air Force Reserve.** \$110.8 million

Division B—Title XXVII—Expiration and Extension of Authorizations

- **Expiration of Authorizations.** Establishes an expiration date for all military construction, land acquisition, family housing, and NATO authorizations at the later of October 1, 2008 or the date of enactment of an Act authorizing funds for military construction for FY2009.
- **Extensions of Authorizations.** Extends by several years the expiration dates of various specific projects.

Division B—Title XXVIII—General Provisions

- **Military Construction and Family Housing Online.** Provides for certain information on military construction and family housing projects to be made available online.
- **Base Realignment and Closure (BRAC).** Expands the reporting requirements relating to BRAC properties and proposed budgets as part of the annual budget justification documents. Terminates authority for any military construction, land acquisition, or family housing project authorized in this or any prior military construction authorization act at a facility approved for closure in the 2005 BRAC

round (except for projects for which appropriated funds have already been obligated). Strikes the limits on the Secretary of Defense's authority to aid communities adversely affected by BRAC and other defense program changes.

- **Authority Adjustments.** Includes a variety of construction-related adjustments of authority.
- **Land Conveyances.** Authorizes several land conveyances to localities.

Division C—Title XXXI—Department of Energy National Security Programs

Authorization of Appropriations for the National Nuclear Security Administration. Details on specific projects given in Section 3101 of H.R. 1815, as reported.

- **Weapons Activities.** \$6.46 billion
- **Defense Nuclear Nonproliferation.** \$1.52 billion
- **Naval Reactors.** \$786.0 million
- **Office of Administrator for Nuclear Security.** \$343.9 million

Authorization of Appropriations for Environmental and Other Activities.

- **Defense Site Acceleration Completion.** \$5.48 billion
- **Defense Environmental Services.** \$831.3 million
- **Other Defense Activities for National Security.** \$636.0 million
- **Defense Nuclear Waste Disposal.** \$351.4 million

Other provisions:

- **Warhead Replacement.** Directs the Secretary of Energy, in consultation with the Secretary of Defense, to execute a Reliable Replacement Warhead Program to develop replacement components for nuclear weapons.
- **Russian Nonstrategic Nuclear Weapons.** Requires a report to Congress on past and future U./S. efforts to encourage and facilitate an accounting for and securing of the nonstrategic nuclear weapons of the Russian Federation.

Division C—Title XXXII—Defense Nuclear Facilities Safety Board

- **Authorized Appropriations.** \$22.0 million

Division C—Title XXXIII—National Defense Stockpile

- **Authorization of Appropriations.** Authorizes \$52.1 million from the National Defense Stockpile Transaction Fund for the operation and maintenance of the National Defense Stockpile for FY2006. Permits the use of additional funds for “extraordinary or emergency conditions” 45 days after a notification to Congress.
- **Extension of Authority.** Authorizes the increased sales of stockpile materials through the end of FY2011.

Division C—Title XXXIV—Naval Petroleum Reserves

- **Authorized Appropriations.** \$18.5 million

Division C—Title XXXV—Maritime Administration

Authorization of Appropriations for the Maritime Administration under the Department of Transportation.

- **Operations and Training Activities.** \$113.7 million
- **Loan Guarantee Program, Administrative Expenses.** \$3.5 million
- **Disposal of Obsolete Vessels.** \$21.0 million

Other provisions:

- **Vessel Disposal.** Requires the Secretary of Transportation to submit to Congress a comprehensive plan for management of the vessel disposal program of the Maritime Administration. Failure to submit a satisfactory plan would yield an open competition for a private contractor to implement the vessel disposal program. The Armed Services Committee notes that the General Accountability Office (GAO) found that the Maritime Administration will likely fall 100 ships short of its September 30, 2006, congressionally-mandated deadline to dispose of most of its obsolete ship inventory.

To view the RSC Legislative Bulletin for the defense authorizations for FY2005 (last year's bill, H.R. 4200), visit this website:

<http://johnshadegg.house.gov/rsc/LB-51904-DOD%20Auth%20FY%2005.pdf>

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